



PATENT 409475-29

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

**GARY S. SHUSTER** 

Serial No.:

09/837,719

Art Unit:

3627

Filed:

April 18, 2001

Examiner:

Andrew J. Fischer

Title: METHOD AND SYSTEM FOR TRANSACTING WITH NETWORK

**TRAFFIC** 

# RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Mail Stop: Missing Parts Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Corrected Application Papers dated September 12, 2005, enclosed are the following:

- 1. Notice to File Corrected Application Papers; and
- 2. Declaration and Petition

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The Declaration and Petition submitted herewith identifies complete address information for inventor Gary Stephen Shuster to address the informalities identified in the Notice to File Corrected Application Papers. No new matter has been added.

While the Applicant believes that no fees are due in connection with the filing of this paper, the Commissioner is authorized to charge any shortage in the fees to Deposit Account No. 50-0639.

Respectfully submitted,

Date: September 20, 2005

Brian'M. Berliner

Attorney for Applicants Registration No. 34,549

O'MELVENY & MYERS LLP

400 South Hope Street Los Angeles, CA 90071-2899 Telephone: (213) 430-6000

409475-29



As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD AND SYSTEM FOR TRANSACTING WITH NETWORK TRAFFIC, the specification of which was filed with the U.S. Patent and Trademark Office on April 18, 2001, bearing Serial No. 09/837,719.

I hereby state that I have reviewed and understand the contents of the aboveidentified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: NONE

### PRIOR FOREIGN APPLICATION(S)

				Priority claimed
Number	Country	Date Filed	Yes	No
				Priority claimed
Number	Country	Date Filed	Yes	No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

60/198,492

Application Serial No.

Filing Date

Application Serial No.

Filing Date

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application: NONE

Application Serial No.	Filing Date		
Application Serial No.	Filing Date		

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Correspondence should be addressed to:

Brian M. Berliner O'MELVENY & MYERS LLP 400 South Hope Street Los Angeles, CA 90071-2899

Telephone (213) 430-6000

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration and petition.

Full name of sole inventor: GARY STEPHEN SHUSTER

Inventor's signature:

Date: September 19, 2005

Residence: 486 East Rusty Harbor Drive, Fresno, California 93720

Citizenship: U.S.A.

Post Office Address: Same as above



#### United States Patent and Trademark Office

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

> Serial Number 09837719

Date Mailed 9/12/05

### NOTICE TO FILE CORRECTED APPLICATION PAPERS

## Notice of Allowance Mailed

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 30 days from the mail date of this Notice within which to correct the informalities indicated below. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136 (a) or (b).

• This communication is in regards to the oath/declaration. City for the inventor's address is missing from last oath/declaration filed.

APPLICANT MUST SUPPLY MISSING INFORMATION WITHIN 30 DAYS OF THE MAIL DATE OF THIS NOTICE.

A copy of this notice <u>MUST</u> be returned with the reply. Please address response to Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Rori Burch USPTO

**Publishing Division** Fax (703) 746-6830